



4410-15

## NOTICE

### DEPARTMENT OF JUSTICE

#### Notice of Lodging of Proposed Consent Decree under the Clean Air Act

On December 22, 2017, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Western District of Louisiana in the lawsuit entitled *United States and the State of Louisiana v. Orion Engineered Carbons, LLC* (W.D. La.), Civil Action No. 6:17-cv-01660.

In this civil enforcement action under the federal Clean Air Act (“Act”), the United States and the State of Louisiana allege that Orion Engineered Carbons, LLC (“Defendant”), failed to comply with certain requirements of the Act intended to protect air quality at four carbon black manufacturing facilities in Franklin, Louisiana, Borger, Texas, Orange, Texas, and Belpre, Ohio. The complaint seeks injunctive relief and civil penalties for violations of the Act’s Prevention of Significant Deterioration provisions, 42 U.S.C. 7470-92, the Act’s Nonattainment New Source Review provisions, 42 U.S.C. 7501-7515, the Act’s Title V permit provisions and certain operating permit requirements, 42 U.S.C. 7661a-76661f, and various Clean Air Act implementing regulations. The complaint alleges that Defendant failed to obtain appropriate permits and failed to install and operate required pollution control devices to reduce emissions of sulfur dioxide (“SO<sub>2</sub>”), nitrogen oxides (“NO<sub>x</sub>”), and/or particulate matter (“PM”) at its four carbon black facilities.

The proposed Consent Decree would resolve violations for certain provisions of the Act at the four facilities, and would require the Defendant to reduce harmful SO<sub>2</sub>, NO<sub>x</sub>, and PM emissions through the installation and operation of pollution controls. The Defendant will also

spend \$550,000 to fund environmental mitigation projects that will further reduce emissions and benefit communities adversely affected by the pollution from the facilities, and pay a civil penalty of \$800,000.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States et al. v. Orion Engineered Carbon, LLC* (W.D. La.), D.J. Ref. No. 90-5-2-1-10189. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by e-mail or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By e-mail	pubcomment-ees.enrd@usdoj.gov
By mail	Assistant Attorney General U.S. DOJ – ENRD P.O. Box 7611 Washington, D.C. 20044-7611

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the proposed Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to:

Consent Decree Library  
U.S. DOJ – ENRD  
P.O. Box 7611  
Washington, D.C. 20044-7611.

Please enclose a check or money order for \$29.50 (25 cents per page reproduction cost) payable to the United States Treasury.

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[FR Doc. 2017-28098 Filed: 12/27/2017 8:45 am; Publication Date: 12/28/2017]